

# Memorandum

**TO: PLANNING COMMISSION**

**FROM: Stephen M. Haase**

**SUBJECT: SEE BELOW**

**DATE: July 26, 2004**

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COUNCIL DISTRICT: 7

**SUBJECT: VACATION OF THE WESTERLY CORNER OF 3002 MONTEREY ROAD.**

## BACKGROUND

This is a privately initiated request, by Gary I. Campagna, to vacate the westerly corner of 3002 Monterey Road, an approximately 81 square foot area located on the east side of Monterey Road approximately 650 feet northerly of Southside Drive in the LI Light Industrial Zoning District (see attached map). The request to vacate a portion of the street in conjunction with and is a condition of an approved Site Development Permit (File No. H03-022) which allows the construction of 5,993 square foot building for automotive repair shop uses on a 0.48 gross acre site.

The Department of Public Works has reviewed the proposed vacation and recommends that it be approved. The Department has determined that this portion of Monterey Road is no longer needed for public street purposes. All concerned utility companies have been contacted and have no objections to the proposed vacation, provided that a public service easement is reserved. Accordingly, a public service easement will be reserved over the entire portion of the right-of-way proposed to be vacated.

This vacation is in conformance with the adopted San José 2020 General Plan Land Use/Transportation Diagram in that the proposed vacation of the small portion of Monterey Road would not change the allowed uses on the adjoining property and the subject street is not designated as a Major Collector Street on the San Jose 2020 General Plan Land Use/Transportation Diagram.

## CEQA

Under the provisions of Section 15332(a) of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA), this project is exempt from the environmental review requirements of Title 21 of the San José Municipal Code, implementing the California Environmental Quality Act of 1970, as amended. The project will not have a significant adverse effect on the environment.

## RECOMMENDATION

Planning Staff recommends approval of the vacation to the satisfaction of the Director of Public Works.

Stephen M. Haase, AICP, Director  
Planning, Building and Code Enforcement

Attachments

